Attorney's Docket No.: 15828-0178001 / PE-95-013

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Giordano, et al. Art Unit: 3692

Serial No.: 09/224,027 Examiner: Frantzy Poinvil

Filed: December 31, 1998 Confirmation No.: 4204

Notice of Allowance Date: June 30, 2009

Title : DISPENSING SYSTEM AND METHOD WITH RADIO FREQUENCY

**CUSTOMER IDENTIFICATION** 

## MAIL STOP ISSUE FEE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## RESPONSE TO NOTICE OF ALLOWANCE

In response to the Notice of Allowance mailed June 30, 2009, enclosed is a completed issue fee transmittal form PTOL-85b.

Pursuant to 37 C.F.R. § 1.104, Applicant respectfully issues a statement commenting on the Examiner's reasons for allowance. Applicant respectfully disagrees with the Examiner's reason for allowance to the extent that they are inconsistent with applicable case law, statutes, and regulations. Further, Applicant does not admit to any characterization or limitation of the claims or to any characterization of a reference by the Examiner, particularly any that are inconsistent with the language of the claims considered in their entirety and including all of their constituent limitations.

All fees are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply all charges or credits to Deposit Account No. 06-1050.

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Respectfully submitted,

/P. Weston Musselman, Jr./

Date: September 30, 2009

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## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

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FISH & RICHARDSON P.C. P.O. Box 1022				Certificate of Mailing or Transmission  I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.		
Minneapolis, MN 55440-1022				(Depositor's name)		
				(Signature)		
						(Date)
APPLICATION NO.	FILING DATE		FIRST NAME	D INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/224,027	12/31/1998	Joseph August			15828-0178001	4204
TITLE OF INVENTION: DISPENSING SYSTEM AND METHOD WITH RADIO FREQUENCY CUSTOMER IDENTIFICATION						
APPLN. TYPE	SMALL ENTITY	ISSUE FEE		PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510		\$0	\$1510	09/30/2009
		1			7	
EXAMINER POINVIL, FRANTZY		ARTU		CLASS-SUBCLASS 705-02300		
POINVIL, FRANTZY 3696 705-02300						
Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).  [] Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  [] "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.			2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.  1. Fish & Richardson P.C.  2. 3.			
3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)  PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.  (A) NAME OF ASSIGNEE  (B) RESIDENCE (CITY and STATE OR COUNTRY)						
Dresser, Inc.; ExxonMobil Oil Corporation; Texas Instruments Incorporated Addison, TX; Fairfax, VA; Dallas, TX						
Please check the appropriate assignee category or categories (will not be printed on the patent): [ ] individual [X] corporation or other private group entity [ ] government						
4a. The following fee(s) are enclosed:  [X] Issue Fee  [] Publication Fee (No small entity discount permitted)  [] Advance Order - # of Copies			4b. Payment of Fee(s):  [ ] A check in the amount of the fee(s) is enclosed. [ ] Payment by credit card. Form PTO-2038 is attached. [X] The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number <u>06-1050</u> (enclose an extra copy of this form).			
5. Change in Entity Status (from status indicated above)  [ ].a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. [ ]b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).						
The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered agent or; or the assignee or other party in interest as shown by the records of the Untied States Patent and Trademark Office.						
(Authorized Signature)	P. Weston Musselman, Jr./			(Date) September 30,	2009	
Typed or Printed Name	P. Weston Musselmar	ı, Jr.		Registration No.	31,644	

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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